

Policy: **Weapons on Campus**
Responsible for Policy: Campus Safety

Policy Number: **D-17**
Original Approval Date: September 2011

Policy Statement

It is the policy of Finger Lakes Community College (FLCC) to prohibit the possession of air guns, firearms, rifles, shotguns or other weapons on FLCC property without the written authorization of the college president or designee. The only exception to this requirement is the possession, storage, and use of weapons by law enforcement officials as defined in NYS Penal Law 265.20-1.

Only campus peace officers appointed under authority of Section 6306 (5-a)(a), of the Education Law and who are recommended by the director of Campus Safety and approved in writing by the president are authorized to carry firearms on duty.

Reason for Policy

This policy is in place to ensure the safety of the college community and maintain compliance with local, state, and federal laws and regulations.

Applicability of the Policy

This policy applies to all College employees, students, visitors, and guests of the College.

Definitions

Weapon: (1) "Deadly weapon" means any loaded weapon from which a shot, readily capable of producing death or other serious physical injury, may be discharged, or a switchblade knife, gravity knife, pilum ballistic knife, metal knuckle knife, dagger, billy, blackjack, plastic knuckles, or metal knuckles; or (2) any other article defined in this policy.

Air gun: a device that is capable of firing a metallic projectile by means of compressed gases or spring

Firearm: (a) any pistol or revolver; or (b) a shotgun having one or more barrels less than eighteen inches in length; or (c) a rifle having one or more barrels less than sixteen inches in length; or (d) any weapon made from a shotgun or rifle whether by alteration, modification, or otherwise if such weapon as altered, modified, or otherwise has an overall length of less than twenty-six inches; or (e) an assault weapon. For the purpose of this subdivision the length of the barrel on a shotgun or rifle shall be determined by measuring the distance between the muzzle and the face of the bolt, breech, or breechlock when closed and when the shotgun or rifle is cocked; the overall length of a weapon made from a shotgun or rifle is the distance between the extreme ends of the weapon measured along a line parallel to the center line of the bore. Firearm does not include an antique firearm.

Rifle: a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

Shotgun: a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

Antique Firearm: Any unloaded muzzle loading pistol or revolver with a matchlock, flintlock, percussion cap, or similar type of ignition system, or a pistol or revolver which uses fixed cartridges which are no longer available in the ordinary channels of commercial trade.

Related Documents

- FLCC Workplace Violence Policy and Prevention Program
- FLCC Violence Prevention Policy

Review date/action taken (requires Board of Trustees approval):

- April 2014: FLCC Board of Trustees approval

Procedures

I. Possession and Storage of Firearms Owned by Students, Faculty and Staff

No air gun, firearm, rifle, shotgun or weapon may be possessed, stored, discharged, loaded or used on property owned or leased by FLCC unless the person in possession of said device has been received written authorization to do so. The president of FLCC, or designee may grant written authorization to students, faculty, staff or other persons to permit the possession of air guns, firearms, rifles, shotguns and weapons on campus only where such possession is required or permitted for legitimate educational purposes, and can be safely managed. Such authorization may be rescinded at any time but in no event shall it be valid for longer than one academic year.

Approval for possession of weapons on campus can be requested by submitting a Firearm Request form to the Office of Campus Safety for approval.

II. Campus Peace Officers (Authorization for Campus Peace Officers)

- A. The president of the college may authorize campus peace officers to carry firearms while on duty.
- B. Only campus peace officers appointed under authority of Section 6306 (5-a)(a), of the Education Law and who are recommended by the director of Campus Safety and approved in writing by the president are authorized to carry firearms on duty.
- C. When authorized to carry firearms on duty and when assigned to do so, such officers will respond to any complaints involving armed individuals, robberies or other dangerous incidents that occur during their tours of duty.
- D. Prior to being given written authorization to carry firearms on duty, a designated officer must successfully complete a course of instruction conducted under the direct supervision of a qualified firearms instructor approved by the director of Campus Safety and the president.
- E. Arming is within the discretion of the campus president. However, all campus peace officers are required to qualify to carry a firearm at least twice a year.

III. Use of Firearms by Campus Peace Officers

- A. When authorization is given to campus peace officers to carry firearms on duty, the weapon to be carried shall be college-owned and approved by the campus president. Only an officially issued firearm will be carried at any time on duty.
- B. Holsters shall have a safety strap, trigger cover or other similar device designed to inhibit removal and/or discharge of the weapon by other than the carrying officer.
- C. As authorized by the provisions of Section 35 of the Penal Law, including but not limited to section 35.30, a campus peace officer may use deadly physical force in order to protect the officer or another person from what is reasonably believed to be an immediate threat of death or other serious physical injury, or to prevent the escape of a fleeing felon whom the officer has reasonable cause to believe will post a significant threat to human life should the escape occur. Firearms shall not be discharged when it appears that a third party may be injured as a result. A campus peace officer shall not draw or exhibit any firearm unless circumstances create reasonable cause to believe that it may be necessary to use the firearm in conformance with this policy.
- D. A campus peace officer may discharge a firearm during range practice, or to destroy an animal that represents an immediate threat to human life, or as a humanitarian measure where an animal is seriously injured.
- E. An authorized campus peace officer shall adhere to the following restrictions when any firearm is exhibited: (a) warning shots are prohibited; (b) a campus peace officer shall not fire any firearm from a

moving vehicle; (c) dry firing of firearms, except under the direct supervision and authorization of a certified firearms instructor or as needed to disassemble a firearm is prohibited.

- F. In considering the use of a firearm, campus peace officers must keep in mind that the individual officer alone is responsible for his or her acts and that he or she may be required to justify them in administrative hearings and courts of law.
- G. Notwithstanding the restrictions on the use of firearms as set forth in section IV (B); firearms may be drawn for cleaning, proper range training and supervisory inspection.
- H. Each campus peace officer shall report immediately in person or by telephone (followed by report in writing) to the director of Campus Safety the voluntary or involuntary discharge of a college-owned firearm, except during official firearm training sessions, or campus approved target practice. The report shall include the full circumstances of the discharge and all relevant information related to the incident. The director of Campus Safety shall immediately inform the president and vice president for administration and finance of such weapon discharge.
- I. Any violation of the regulations contained herein may be cause for administrative and/or disciplinary action.

IV. Storage of Firearms

- A. All firearms shall be stored in an appropriately secured area within the Office of Campus Safety. The director of Campus Safety and his or her designees shall have access to all firearms.
- B. Loading and unloading of all firearms shall be done only in designated areas by the police officer assigned to carry the specific firearm.

V. Care and Maintenance of Firearms

- A. Campus peace officers will maintain issued firearms in a clean and serviceable condition. Firearms will be examined and cleaned at least once a month and after the weapon has been fired. Problems found with firearms during these examinations will be immediately brought to the attention of the director of campus safety or his or her designee.
- B. Firearms will be disassembled for examination and cleaning only to the extent authorized by the director of campus safety.
- C. A full inspection of all firearms will be conducted annually by the director of campus safety or designee to determine their condition, safety and reliability. Firearms found with broken, worn or missing parts will be removed from service until repaired or replaced.
- D. The director of campus safety will maintain an accurate inventory of all firearms and ammunition.

VI. Department Response to the Use of a Firearm by a Campus Peace Officer

- A. After an incident involving the use of a firearm by a campus peace officer, the director of campus safety will be notified as soon as possible by the officer involved in the incident. The director of Campus Safety shall immediately inform the president and vice president for administration and finance of such weapon discharge.
- B. The firearm used by the campus peace officer in the incident will be removed for investigation and storage and will be replaced as soon as practical.
- C. An administrative investigation of the incident will be conducted under the aegis of the director of campus safety according to department procedures and, when applicable, protocols established by the county district attorney's office.
- D. Where the use of a firearm causes a serious physical injury or death, the campus peace officer shall be immediately assigned administrative duties and will not return to field assignments until he or she is determined fit for duty.

Forms/Online Processes

- Firearms Request Form

Appendix

- None

Review date/action taken:

- April 2014: FLCC Board of Trustees approval